



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING DISTRICT OFFICE



STEVEN E. CHESTER  
DIRECTOR

July 26, 2007

FILE

CERTIFIED MAIL Number 7002 0860 0007 7047 7409  
RETURN RECEIPT REQUESTED

Diamond Chrome Plating, Inc.  
604 South Michigan Avenue  
P.O. Box 557  
Howell, Michigan 48844

ATTENTION: Mr. John C. Beatty, III

Dear Diamond Chrome Plating, Inc:

SUBJECT: Letter of Violation Regarding Judicial Consent Decree, No 03-1862-CE,  
Diamond Chrome Plating, 604 South Michigan Avenue, Howell,  
Site ID No. 47000202

This is to inform you that the Department of Environmental Quality (DEQ) has determined that Diamond Chrome Plating, Inc. (DCP) is currently in violation of the Judicial Consent Decree (JCD), entered on July 28, 2006, between the DEQ and DCP regarding the facility located at 604 South Michigan Avenue, Howell, Livingston County, Michigan (Facility).

Paragraph 6.6 of Section VI (Performance of Response Activities) of the JCD, requires DCP to submit a Revised Catch Basin Monitoring Plan (RCBMP) to the DEQ for review and approval by May 31, 2006. On August 9, 2006, the DEQ's Remediation and Redevelopment Division (RRD) received the first draft of the RCBMP. On August 29, 2007, the DEQ issued a deficiency letter pertaining to the first draft RCBMP. The DEQ requested that DCP correct the deficiencies identified in the first draft RCBMP and resubmit the final document for review and approval.

On October 4, 2006, the DEQ received a second draft RCBMP for review and approval. The DEQ has completed its review draft RCBMP which was delayed due to DCP's failure to provide specific information required in the RCBMP, including data from DCP's site monitoring well survey and the baseline groundwater elevation survey conducted prior to DCP's 2006 interim response of leak-proofing a segment of the city of Howell storm sewer.

All work plans required under the JCD must contain all of the required administrative elements as detailed in Paragraph 6.6 (e) (i-v) of the JCD, which includes the following:

- A detailed description of work tasks that will be conducted pursuant to the work plan and a description of how the work tasks will meet the performance objectives outlined in Paragraph 6.1 of the JCD. The factors specified in the Part 201 Administrative Rules shall be considered in the development of the work plan.

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- A description of how the proposed (interim) response activities will be consistent with the remedial action plan (RAP) that is anticipated.
- Implementation schedules for conducting response activities.
- A plan for obtaining access to any properties not owned or controlled by DCP that is needed to perform the response activities.
- A description of the nature and amount of waste materials expected to be generated during the performance of response activities and the name and location of the facilities DCP proposes to use for the off-site transfer, storage, treatment, or disposal of those waste materials.

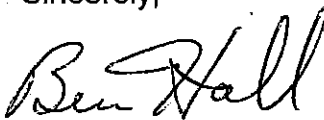
The DEQ has determined that the October 2006 RCBMP does not include the administrative elements and therefore is not complete for approval. DCP's failure to provide the DEQ with an approvable RCBMP is a violation pursuant to Paragraph 6.6(d) of Section XV (Stipulated Penalties) of the JCD and is subject to stipulated penalties pursuant to Paragraph 15.2 of Section XV (Stipulated Penalties) of the JCD.

DCP will continue to be in violation of the cited provisions of the JCD until such time as an RCBMP which address the DEQ's August 29, 2006, concerns and concerns outlined in this letter, is submitted to the DEQ for review and approval.

Please submit a complete RCBMP to the DEQ's RRD immediately. If you wish to dispute the violations cited in this letter, please advise this office in accordance with Section XVI (Dispute Resolution) of the JCD, to invoke the dispute resolution process. The final amount of any stipulated penalties assessed will be influenced by how expeditiously DCP corrects the above-cited violations of the JCD.

If you have any questions, please contact Ms. Rebecca Taylor, DEQ, RRD, Project Coordinator, 525 West Allegan Street, 4<sup>th</sup> Floor, North Tower, Lansing, Michigan 48933, at 517-335-6247; or you may contact me.

Sincerely,



Ben Hall  
Lansing District Supervisor  
Remediation and Redevelopment Division  
517-335-6228

cc: Mr. Saulis Mikalonis, Butzel Long (Bloomfield hills)  
Mr. Scott Adamowski, Conestoga-Rovers & Associates  
Mr. Brad Ermisch, DEQ  
Mr. Leslie E. Smith, III, DEQ  
Ms. Rebecca Taylor, DEQ